

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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REGINALD PETTY,

Plaintiff,

-v-

GLENN GOORD et al.,

Defendants.  
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: 00 Civ. 803 (JSR)  
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ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6-25-08</u>
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JED S. RAKOFF, U.S.D.J.

On April 22, 2008, the Honorable Frank Maas, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending that the summary judgment motion of the remaining defendants, Harry Mamis and Raymond Wilk, be granted, dismissing all remaining claims. By letter dated May 1, 2008, plaintiff Reginald Petty then requested, and the Court granted, an extension until June 6, 2008 for Petty to object to the Report and Recommendation. However, no objections from Petty were, in the end, made. Rather, by letter dated June 16, 2008, which will now be docketed, Petty represented that he did not object to the Report and Recommendation. Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, dismisses the complaint with prejudice. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000). In addition, the Court certifies that any appeal from this Order would not be taken in good faith, as plaintiff's claims lack any arguable basis in law or fact, and therefore permission to proceed in forma pauperis is denied. See 28 U.S.C. § 1915(a)(3); see also Seimon

v. Emigrant Savs. Bank (In re Seimon), 421 F.3d 167, 169 (2d Cir.  
2005). Clerk to enter judgment.

SO ORDERED.

  
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JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
June 25, 2008